

Remarks

Claims 1, 2, 4, 10, 14, 18 and 19 are pending. Claims 3, 5-9, 11-13, 15-17 and 20-30 are cancelled.

Restriction Requirement/Election

The Examiner has issued a restriction requirement in this application. The Examiner has taken the position that the application includes multiple species of invention that are each separately patentable from one another. The species restriction is as follows:

- Species 1 – Figures 1-4 - Claims 1, 2, 4, 10, 14 and 18 - includes a spacer means with a rotatable collar snap fitted to the container.
- Species 2 – Figures 5-7 - Claims 1, 2, 4, 14 and 18 - includes a ring-shaped collar adapted to clip around the shaft of the nozzle assembly.
- Species 3 – Figures 8-10 - Claims 1, 2, 10 and 19 - includes a spacer means including a cam surface adapted to contact the nozzle assembly.
- Species 4 – Figures 11-18 - Claims 2, 4 and 10 - includes a spacer means provided on a lever that actuates the valve.

Applicant hereby elects Species 3, which is directed to Figures 8-10. Applicant agrees that claims 1, 2, 10 and 19 read on the embodiment of the invention in this species. However, Applicant also submits that claim 18 reads on this species since it is directed to a plurality of recessed portions 100, 102, 104 of the collar 92 with different depths. See, paragraphs [0085] and [0086] of the published application, which refers to Figs. 8-10 (see paragraph [0084]). Accordingly, Applicant respectfully submits that claims 1, 2, 10, 18 and 19 read on the elected species.


Claims 4 and 14 have been withdrawn until such time as a generic claim is allowed. It is respectfully submitted that at least claim 1 is currently generic to all the species.

Should the Examiner have any questions or comments regarding Applicant's amendments or response, the Examiner is asked to contact Applicant's representative below.

Respectfully submitted,

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